

February 08, 2021

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 ELLIOTT MANAGEMENT
12 CORPORATION,

13 Appellant,

14 v.

15 PG&E CORPORATION, *et al.*,

16 Appellees.

Case No. 4:20-cv-07865-HSG

**ORDER GRANTING IN PART AND
DENYING IN PART
ADMINISTRATIVE MOTION OF
REORGANIZED DEBTORS TO
CONSOLIDATE CERTAIN
BANKRUPTCY APPEALS**

17 CANYON CAPITAL ADVISORS LLC,
18 *et al.*,

19 Appellants,

20 v.

21 PG&E CORPORATION, *et al.*,

22 Appellees.

Case No. 4:20-cv-07911-HSG

23 PACIFIC INVESTMENT
24 MANAGEMENT COMPANY LLC,

25 Appellant,

26 v.

27 PG&E CORPORATION, *et al.*,

28 Appellees.

Case No. 4:20-cv-07912-HSG

1 WHEREAS, the notice of appeal filed by Elliott Management Corporation,
2 on behalf of itself and certain funds and accounts managed, advised, or sub-advised
3 by it (“Elliott”), was docketed on November 10, 2020 in the case captioned 4:20-cv-
4 07865-HSG (the “Elliott Appeal”);

5 WHEREAS, the notice of appeal filed by Canyon Capital Advisors LLC,
6 Citadel Advisors LLC, Davidson Kempner Capital Management LP, Farallon
7 Capital Management, L.L.C., Sculptor Master Fund, Ltd., Sculptor Enhanced Master
8 Fund, Ltd., Sculptor Credit Opportunities Master Fund, Ltd., Sculptor GC
9 Opportunities Master Fund, Ltd., Sculptor SC II, LP, and Värde Partners, Inc., on
10 behalf of themselves, and/or certain funds and accounts managed, advised, or sub-
11 advised by them (the “Additional Noteholder Group”), was docketed on November
12 10, 2020 in the case captioned 4:20-cv-07911-HSG (the “Additional Noteholder
13 Appeal”);

14 WHEREAS, the notice of appeal filed by Pacific Investment Management
15 Company LLC, as investment adviser or manager for certain funds and accounts
16 (“PIMCO” and, together with Elliott and the Additional Noteholder Group, the
17 “Appellants”), was docketed on November 10, 2020 in the case captioned 4:20-cv-
18 07912-HSG (the “PIMCO Appeal” and together with the Elliott Appeal and the
19 Additional Noteholder Appeal, the “Appeals”);

20 WHEREAS, on December 7, 2020, PG&E Corporation and Pacific Gas and
21 Electric Company, as debtors and reorganized debtors (collectively, the
22 “Reorganized Debtors”), filed the *Administrative Motion of Reorganized Debtors to*
23 *Consolidate Certain Bankruptcy Appeals* (the “Motion”), requesting that the
24 Appeals be administratively consolidated and the parties be directed to submit
25 consolidated briefing;
26

27
28 ORDER GRANTING IN PART AND DENYING IN PART ADMINISTRATIVE
MOTION OF REORGANIZED DEBTORS TO CONSOLIDATE CERTAIN BANKRUPTCY APPEALS
Case No. 4:20-cv-07865-HSG; Case No. 4:20-cv-07911-HSG; Case No. 4:20-cv-07912-HSG

1 WHEREAS, on December 11, 2020, Appellants filed the *Appellants' Joint*
 2 *Limited Opposition to Administrative Motion of Reorganized Debtors to Consolidate*
 3 *Certain Bankruptcy Appeals* (the "Limited Opposition"), in which Appellants
 4 (i) stated that they do not oppose the Reorganized Debtors' request to consolidate
 5 the three Appeals for administrative purposes, and (ii) opposed the Reorganized
 6 Debtors' request for the Court to order consolidated briefing;

7 WHEREAS, this Court having reviewed the Motion and the Limited
 8 Opposition, and after due deliberation thereon and sufficient cause appearing
 9 therefor,

10 IT IS HEREBY ORDERED THAT:

11 1. The Motion is GRANTED in part and DENIED in part as set forth
 12 herein.

13 2. The cases captioned 4:20-cv-07865-HSG, 4:20-cv-07911-HSG, and
 14 4:20-cv-7912-HSG are hereby consolidated for administrative purposes into the
 15 earlier filed case: Case No. 4:20-cv-07865-HSG.

16 3. The earlier-filed case, Case No. 4:20-cv-07865-HSG, shall serve as the
 17 lead case for the Appeals. The clerk is directed to administratively close the two
 18 later-filed cases, Case Nos. 4:20-cv-07911-HSG and 4:20-cv-7912-HSG. All future
 19 filings should be done in the lead case (Case No. 4:20-cv-07865-HSG) only and
 20 should be captioned "In Re Elliott Management Corp. v. PG&E Corp."


21 4. The Reorganized Debtors' request to order consolidated briefing is
 22 DENIED.

23 5. Each of the Appellants shall be permitted to submit separate principal
 24 briefs and reply briefs, as applicable, and such briefs shall comply with the length
 25 limitations set forth in Fed. R. Bankr. P. 8015(a)(7) and 8015(g); provided, however,
 26 that if Appellants submit separate principal briefs, the Reorganized Debtors are
 27

28 ORDER GRANTING IN PART AND DENYING IN PART ADMINISTRATIVE
 MOTION OF REORGANIZED DEBTORS TO CONSOLIDATE CERTAIN BANKRUPTCY APPEALS
 Case No. 4:20-cv-07865-HSG; Case No. 4:20-cv-07911-HSG; Case No. 4:20-cv-07912-HSG

1 granted leave to submit a response brief not to exceed the total length (calculated in
2 accordance with Fed. R. Bankr. P. 8015(a)(7) and 8015(g)) of the principal briefs
3 submitted on behalf of Appellants.
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6 Dated: 2/5/2021


7 The Honorable Haywood S. Gilliam, Jr.
8 United States District Judge
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28 ORDER GRANTING IN PART AND DENYING IN PART ADMINISTRATIVE MOTION OF
REORGANIZED DEBTORS TO CONSOLIDATE CERTAIN BANKRUPTCY APPEALS
Case No. 4:20-cv-07865-HSG; Case No. 4:20-cv-07911-HSG; Case No. 4:20-cv-07912-HSG